

[PROPOSED] Rule 3002-1

MODIFICATION OF CLAIMS DEADLINE AFTER DISMISSAL IS VACATED

If a Chapter 7, 12, or 13 case is dismissed and reinstated, the deadline in Bankruptcy Rule 3002(c) for filing a proof of claim is modified for claimants as follows:

(a) In a case dismissed before the § 341 meeting is held, the new deadline for filing a proof of claim or interest shall be 28 calendar days after the rescheduled § 341 meeting or expiration of original bar date whichever is later;

(b) In a case dismissed after the § 341 meeting is held, the new deadline for filing a proof of claim or interest shall be 28 calendar days from entry of the order vacating the order of dismissal or expiration of original bar date whichever is later.

This rule shall not apply to cases in which the claims bar date expired prior to dismissal.

Notes of Advisory Committee

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This rule provides for new deadlines for filing proofs of claims in bankruptcy cases which are dismissed and thereafter reinstated before the expiration of the claims bar date.